

#4

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PATENT



Our Reference: UMJ-102-C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 29 2002

OFFICE OF PETITIONS

Applicant: Ralph T. Yang
Serial Number: 10/082,550
Filing Date: February 25, 2002
Examiner/Art Group Unit: UNKNOWN/UNKNOWN
Title: SELECTIVE ADSORPTION OF ALKENES USING
SUPPORTED METAL COMPOUNDS

**RESPONSE TO NOTICE OF OMITTED ITEMS IN A
NONPROVISIONAL APPLICATION AND PETITION UNDER 37 CFR 1.182**

Commissioner for Patents

Adjustment date: 05/29/2002
05/29/2002 AWCNDAF1 00000009 10082550
01 FC:122
Reprint Ref: 06/13/2002 AKELLEY 0011062100
DAH:502100 Name/Number:10082550
01 FC:122

This is in response to the Notice of Omitted Item(s) In A Nonprovisional Application Filed Under 37 CFR 1.53(b) that was mailed on May 2, 2002.

The Notice indicates that Figures 4 and 5 of the drawings were omitted when the above-identified patent application was filed on February 25, 2002. Applicant contends that Figs. 4 and 5 were in fact deposited in the U.S. Patent and Trademark Office with the nonprovisional application papers. Enclosed as proof of filing please find:

- 1) Eleven (11) sheets of drawings, including Figures 4 and 5 (sheet 3 of 11) as filed with the application on February 25, 2002 (Exhibit 1);
- 2) A copy of the Certificate of Express Mailing and Transmittal Letter stating that the 11 sheets of drawings were filed with the application is also enclosed (Exhibit 2);
- 3) A copy of the return receipt postcard, stamped with the Serial No. and filing date by the Patent Office, reflecting that the U.S. Patent Office received the items listed on the postcard (i.e. 11 sheets of drawings, 1 of which contained Figures 4 and 5) (Exhibit 3).

The enclosed documents are evidence that eleven (11) sheets of drawings, including Figures 4 and 5 on the third of the 11 sheets, were in fact filed with the U.S. Patent and Trademark Office via Express Mail on February 25, 2002. It is submitted that this is sufficient evidence that Figures 4 and 5 were deposited along with the above-identified patent application on February 25,

05/29/2002 AWCNDAF1 00000009 10082550

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2002.


Further, this application is a divisional of U.S. Serial No. 09/177,256 filed October 22, 1998, and the Commissioner may see that Figs. 4 and 5 in this divisional application are identical to Figs. 4 and 5 in the parent application.

It is requested that Figs. 4 and 5 be re-placed into the subject application, as it is submitted that the Patent and Trademark Office must have inadvertently misplaced this sheet of Figures. Further, it is requested that this Petition be granted, and that the filing date remain February 25, 2002 as originally accorded.

The requisite \$130.00 Petition fee accompanies this Petition. It is requested that this fee be refunded.

Respectfully submitted,

DIERKER & GLASSMEYER, PLLC



Julia Church Dierker
Attorney for Applicant(s)
Registration No. 33368
(248) 649-9900

3290 West Big Beaver Rd., Suite 121
Troy, Michigan 48084-2906

May 9, 2002

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/082,550	02/25/2002	Ralph T. Yang	UMJ-102-C (UM-1544d1)

Julia Church Dierker
Dierker & Glassmeyer, PLLC
Suite 121
3290 W. Big Beaver Road
Troy, MI 48084-2906



CONFIRMATION NO. 4523

FORMALITIES LETTER



OC000000008003899

Date Mailed: 05/02/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 4 and 5 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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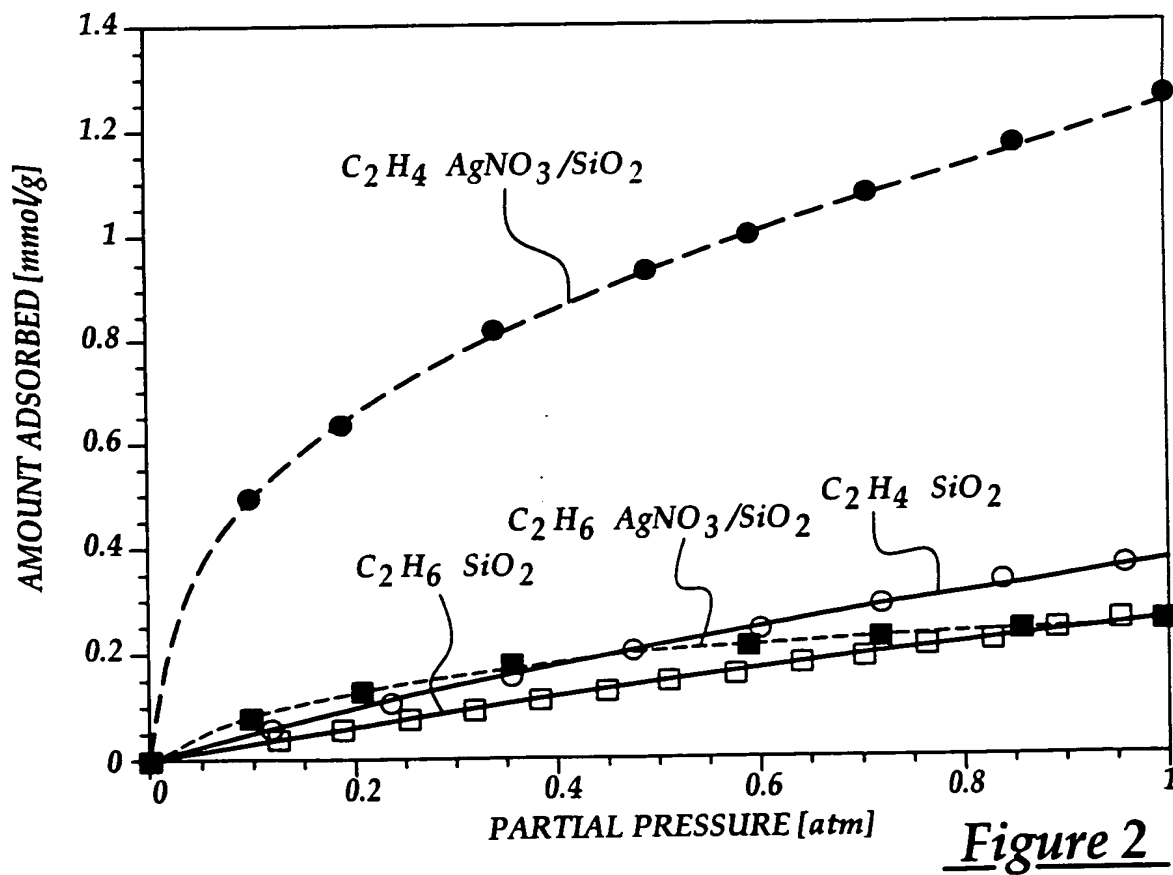
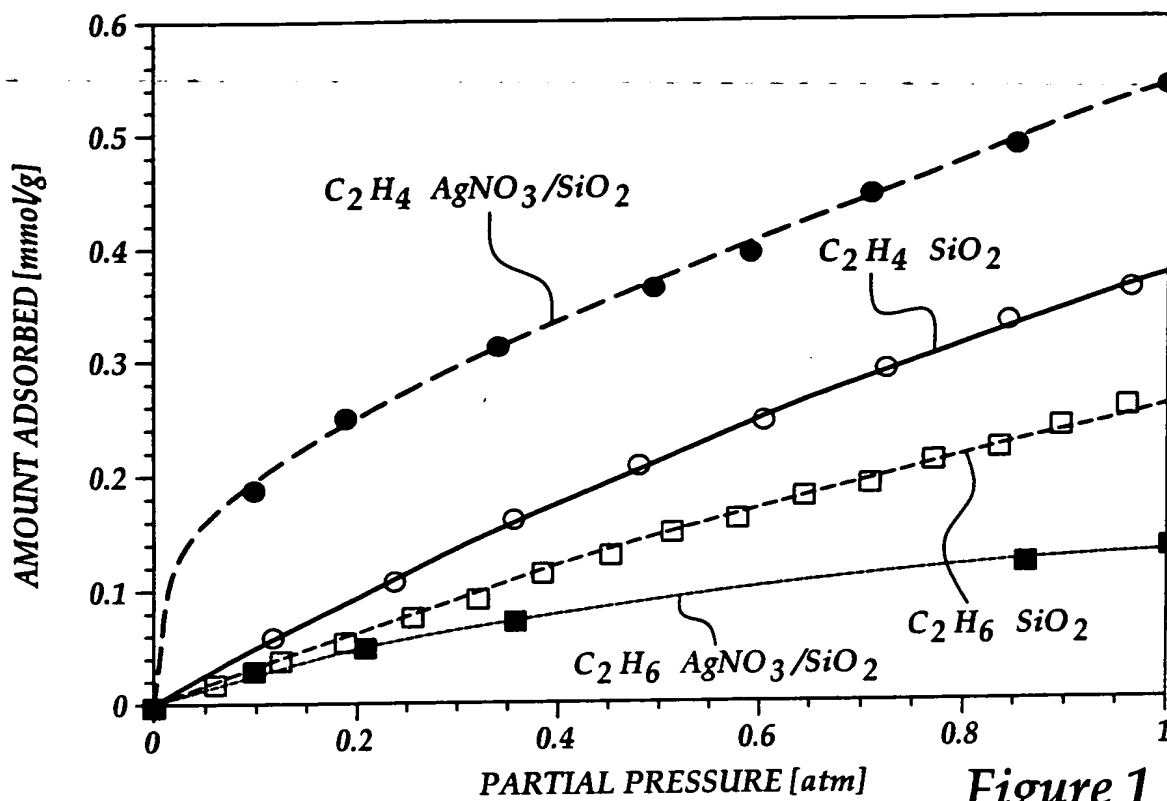
MAY 29 2002

OFFICE OF PETITIONS

M. Mandal

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



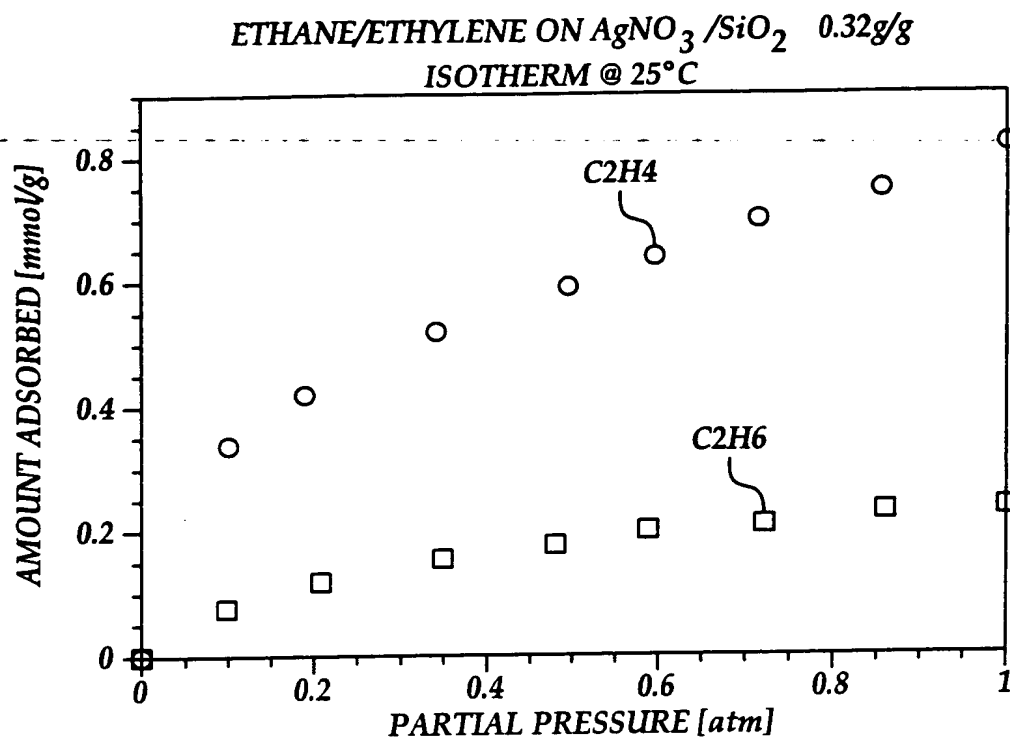


Figure 2A

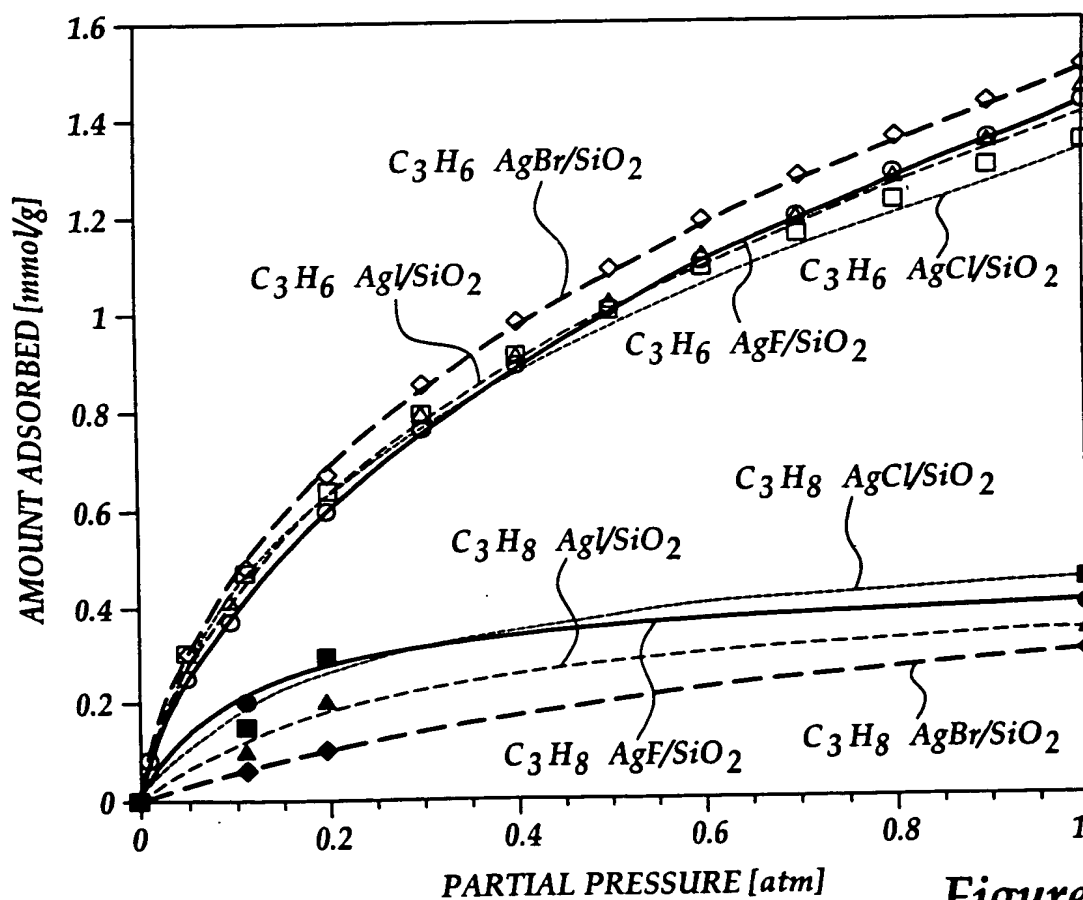


Figure 3

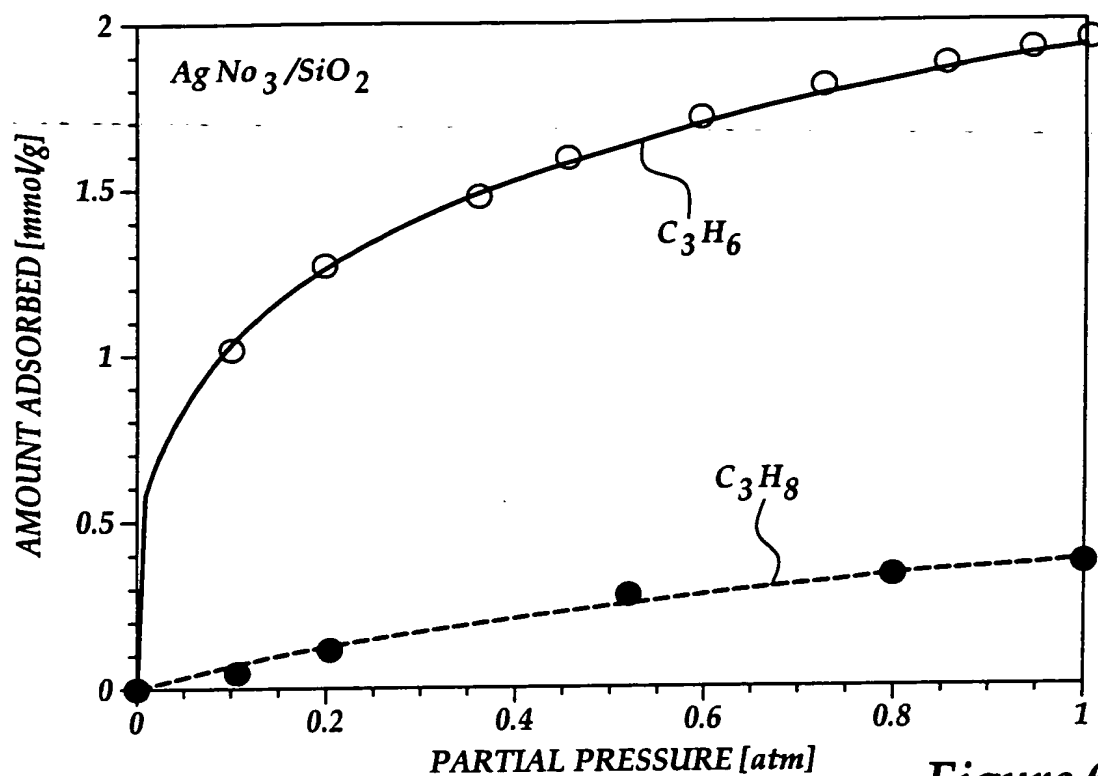


Figure 6

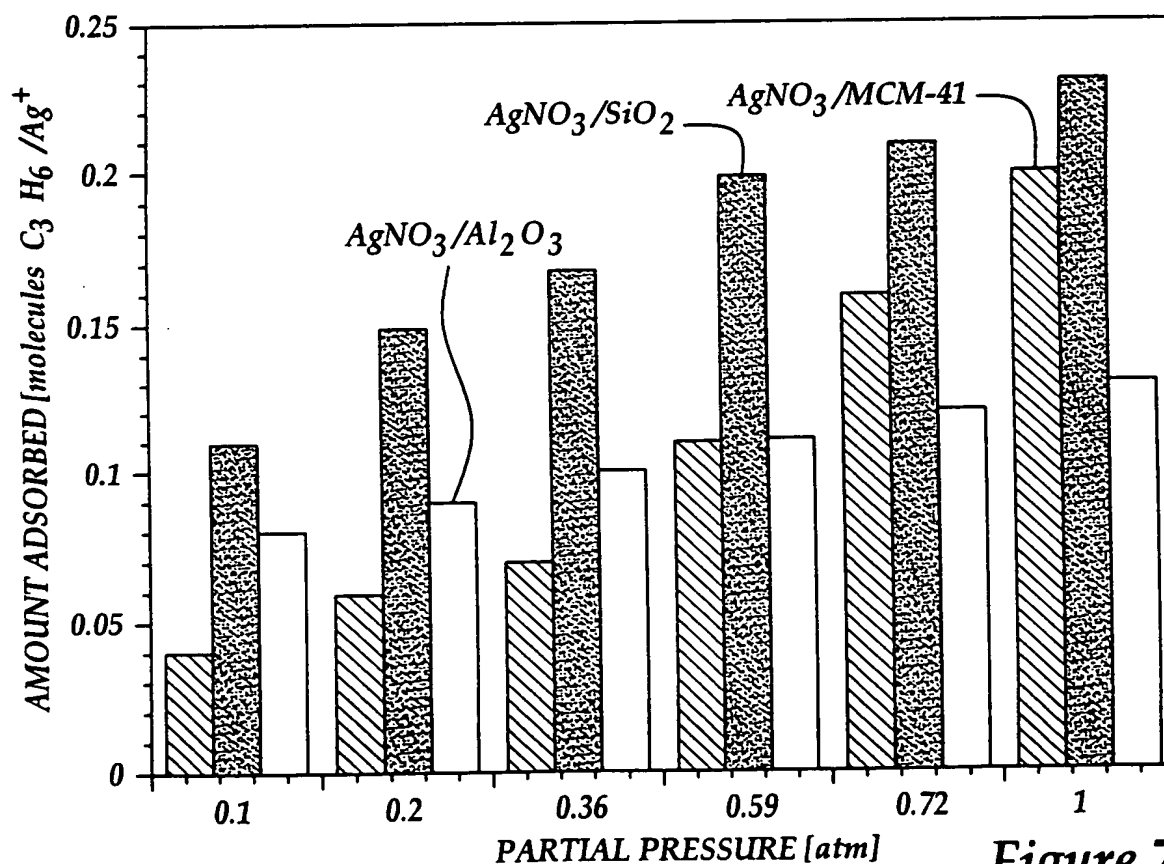


Figure 7

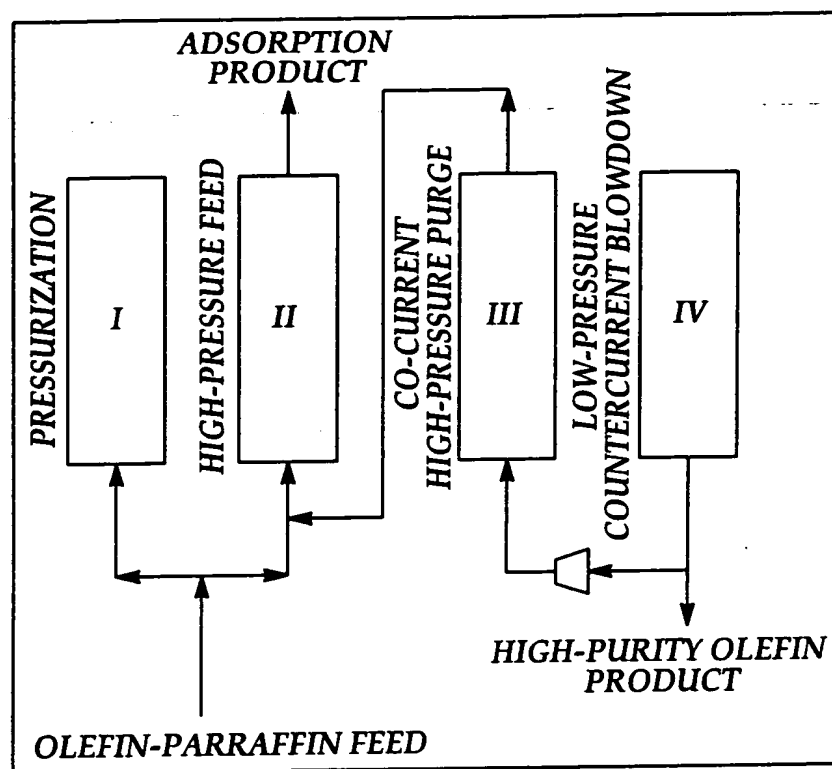


Figure 8

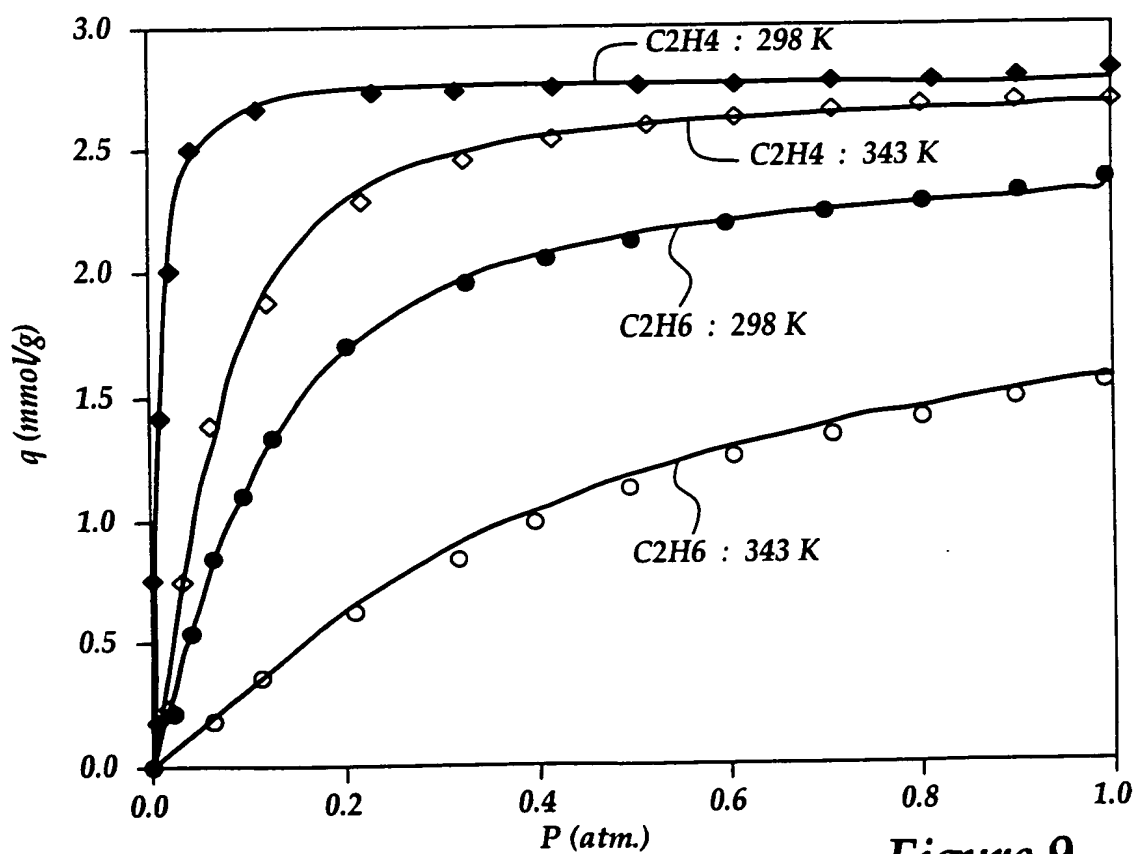


Figure 9

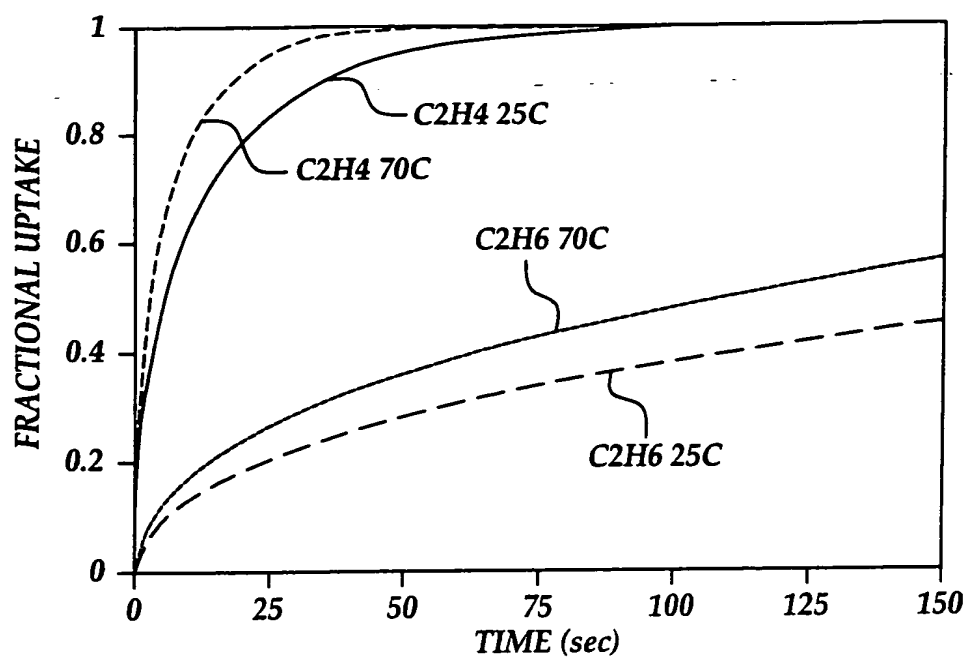


Figure 10

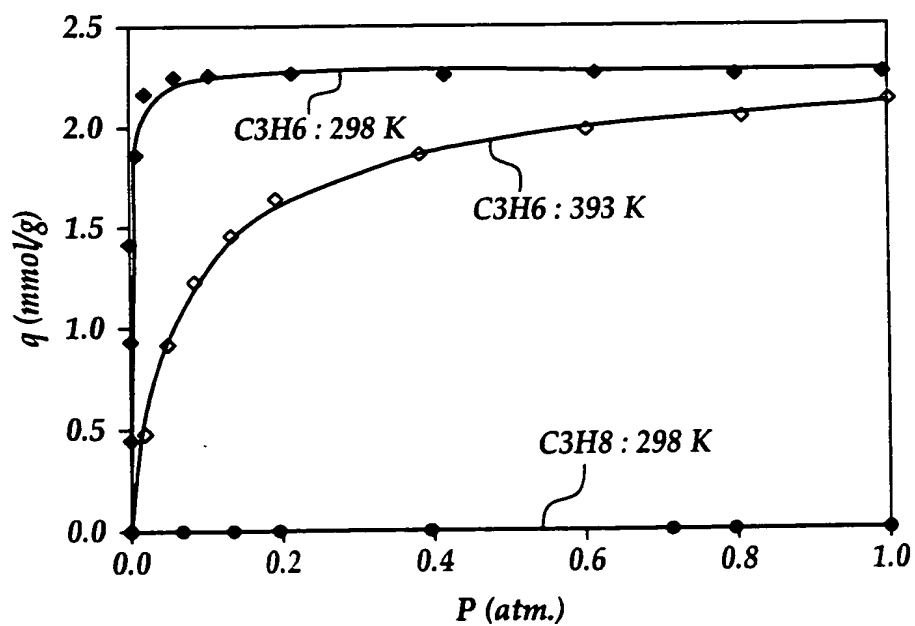


Figure 11

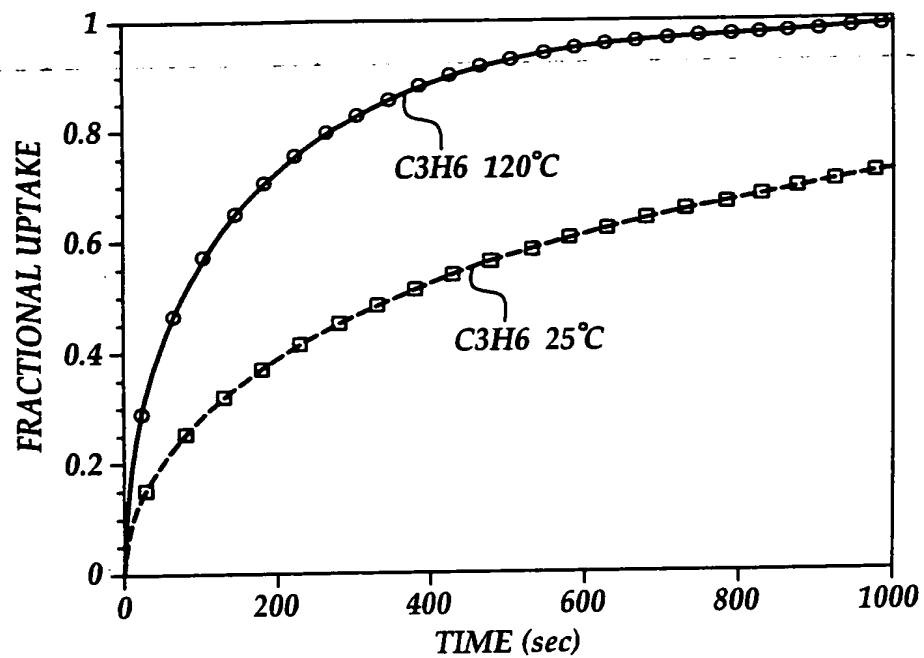


Figure 12

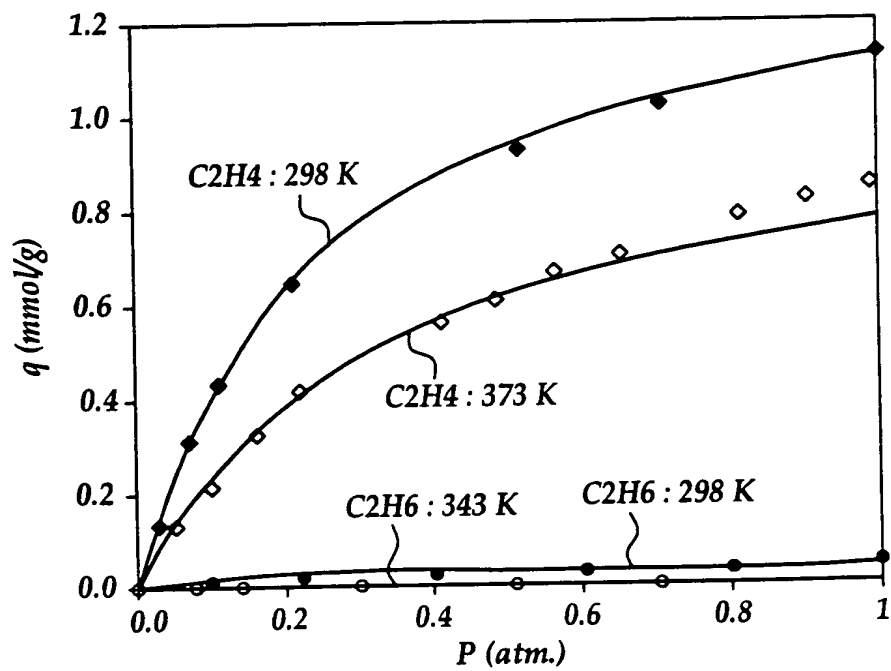


Figure 13

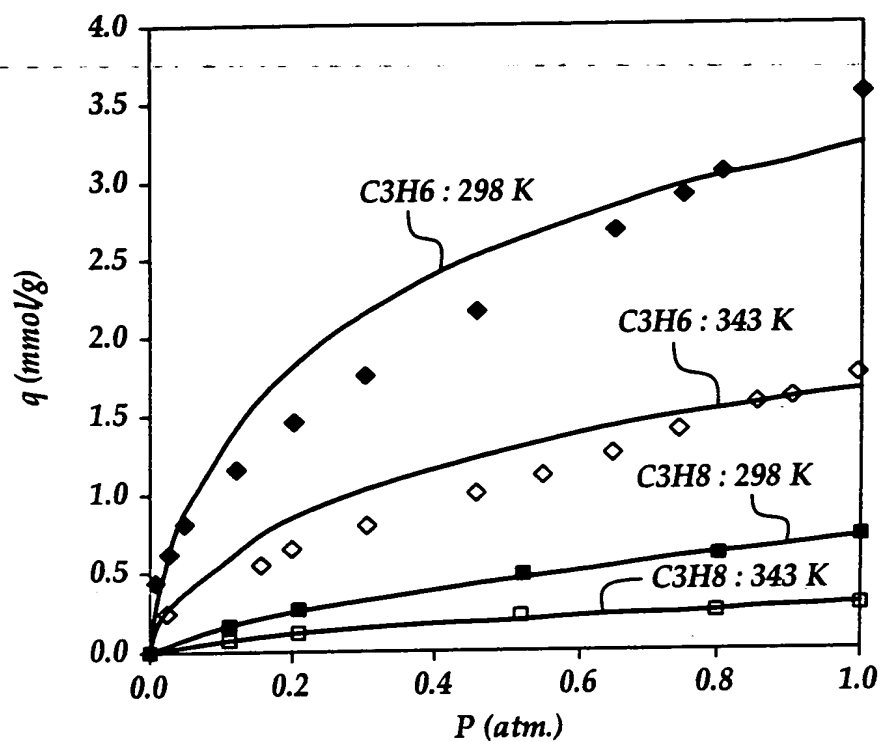


Figure 14

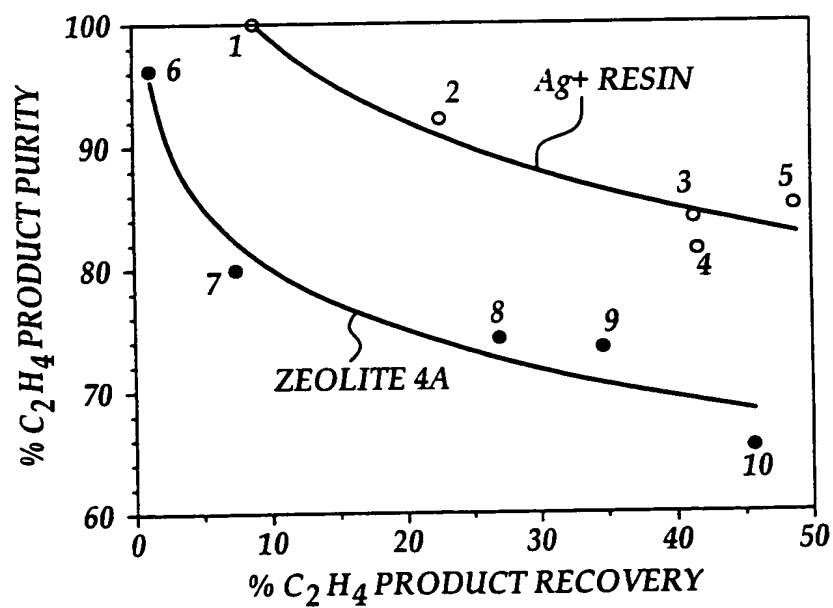


Figure 15

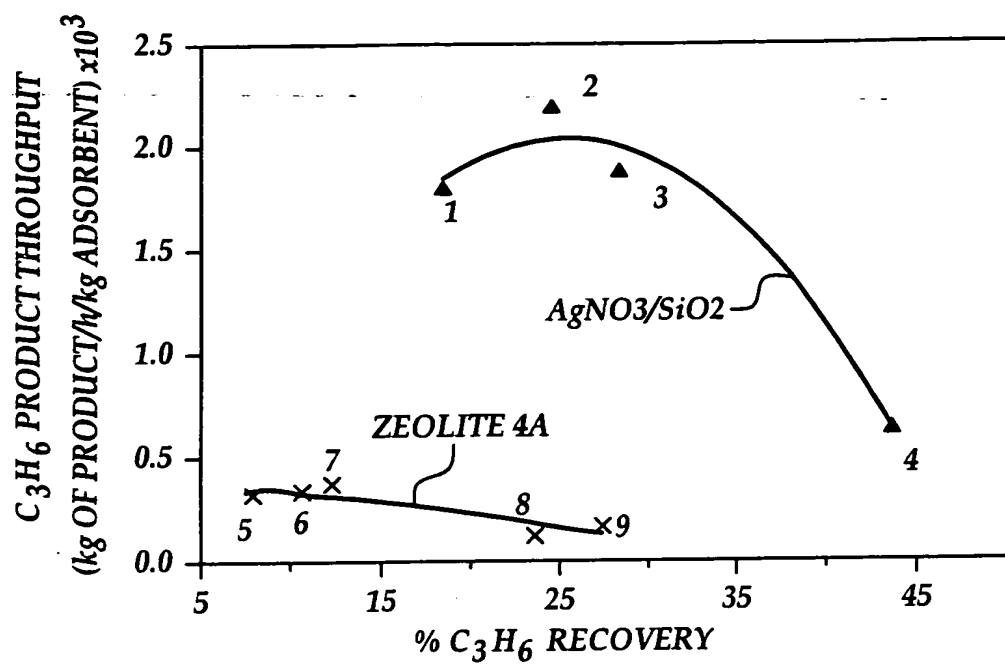


Figure 16

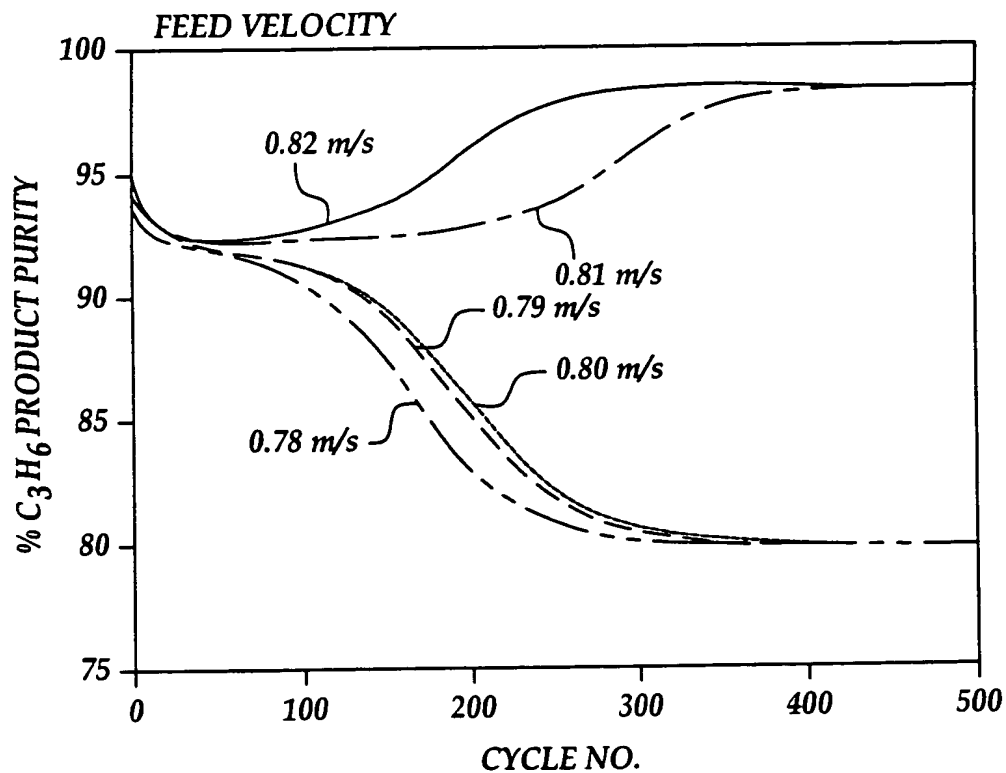


Figure 17

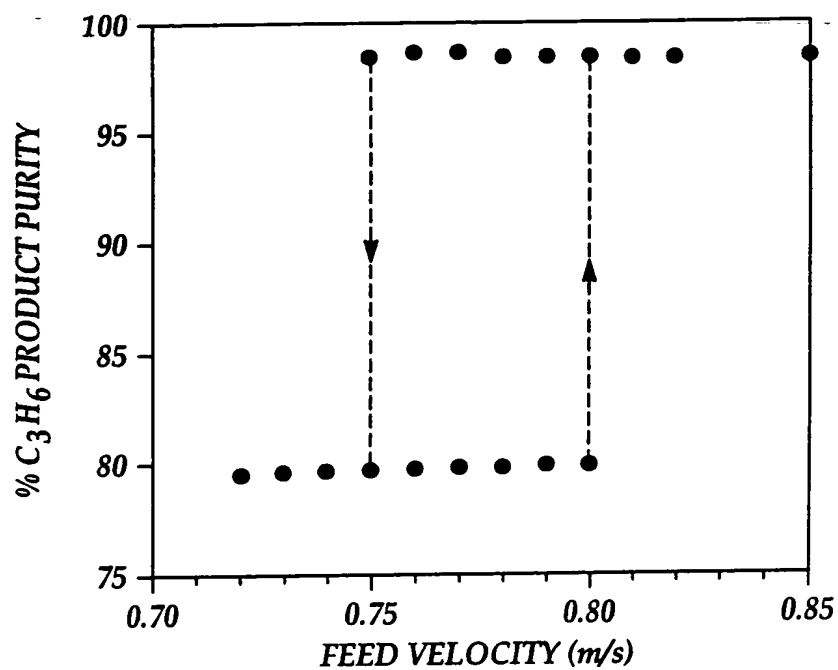


Figure 18

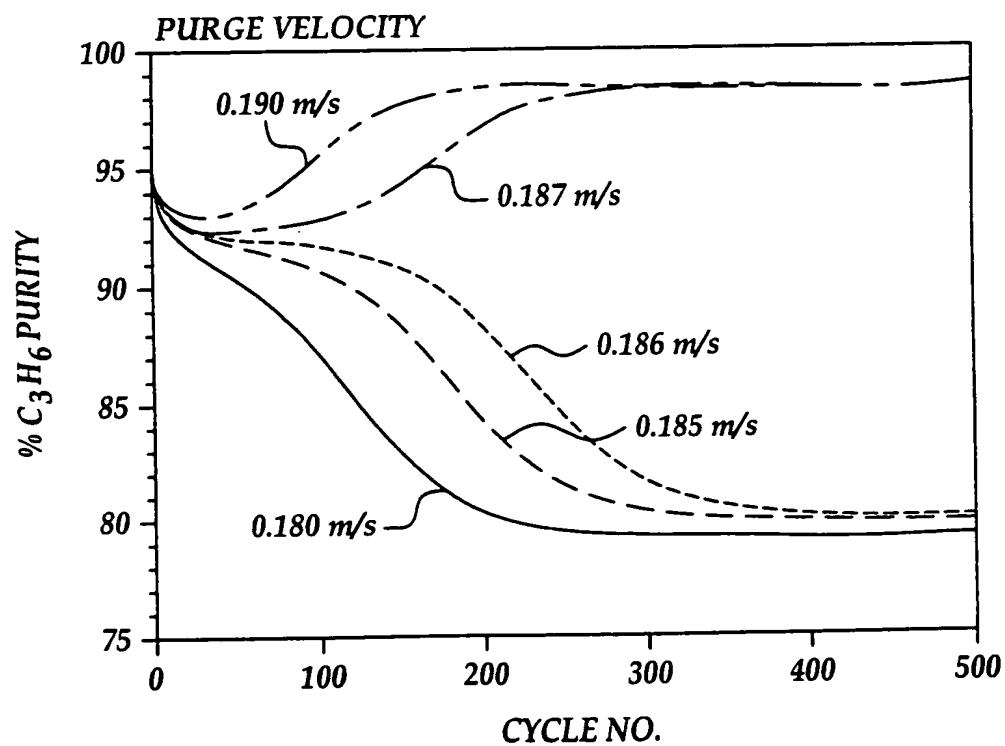


Figure 19

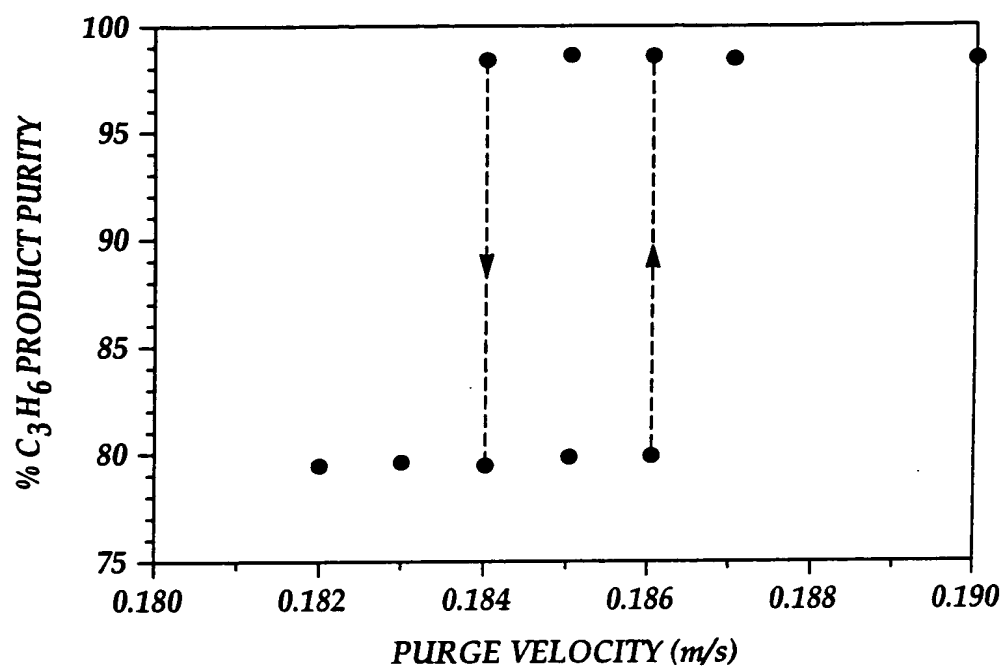


Figure 20

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EXHIBIT 2

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box →

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	UMJ-102-C (UM-1544d1)
First Inventor	Ralph T. Yang
Title	Selective Adsorption of Alkenes Using Supported Metal Compounds
Express Mail Label No.	EU 046722455 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

- ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification (Total Pages 45)
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) (Total Sheets 11)
- Oath or Declaration (Total Pages 2)
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/177,256Prior application information: Examiner Tam NguyenGroup / Art Unit 1764

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

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MAY 29 2002

Name	Julia Church Dierker			Dierker & Glassmeyer, PLLC	
Address	3290 W. Big Beaver Road Suite 121				
City	Troy	State	MI	Zip Code	48084-2906
Country	US	Telephone	248-649-9900	Fax	248-649-9922

Name (Print/Type) Julia Church DierkerRegistration No. (Attorney/Agent) 33368Signature Julia Church DierkerDate February 25, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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EXHIBIT 3

Our Reference: UMJ-102-C

Description of Papers:

- ☒ Express Mail Application Transmittal Letter;
- ☒ Application including Abstract, Specification and Claims;
- ☐ Preliminary Amendment;
- ☒ Copy of Original signed Combined Declaration and Power of Attorney;
- ☒ Utility Patent Application Transmittal;
- ☒ 11 Sheets of drawings;
- ☒ a check in the amount of \$740.00 to cover the filing fee;
- ☐ Copy of Recorded Assignment;
- ☐ a check in the amount of \$40.00 for the Assignment recordation fee.

Applicant: Ralph T. Yang et al.


Date Mailed: February 25, 2002

U.S. Express Mail Label No: EU 046722455 US

PLEASE STAMP WITH SERIAL NUMBER AND

FILING DATE AND RETURN.

JCD/jc

JC986 U.S. PTO
10/082550

02/25/02